

DURHAM, NORTH CAROLINA
MONDAY, May 1, 2000
7:00 P.M.

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Absent: Council Member Cheek.

Also present: City Manager P. Lamont Ewell, City Attorney Henry Blinder, City Clerk D. Ann Gray and Acting Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order and at that time, he congratulated and gave certificates to the first, second and third place winners of the "Save Water: It's In Your Hands" poster contest: Grades K-2: Meg Bryson, Corrine Morris, Jordan Kyle Salmon; Grades 3-5: Austin Tharrington, Pearce Tapp, Robert David Idol, Emma Louise Johnson and Grades 6-8: Katie Apple, Ashleigh O'Briant, Emily Connelly, Casey Miller and Rachel Crownover. Also, he read proclamations announcing May 7-13, 2000 as Drinking Water Week and April 30 - May 6, 2000 as Municipal Clerk Week.

Vickie Westbrook, of Environmental Resources, invited Council to attend an Open House on Sunday, May 7 from 2-5:00 p.m. at the Brown Water Treatment Plant and to attend the It's Cool To Conserve ball game on May 10 at 12 noon at the Ballpark.

Mayor Tennyson thanked everyone involved for putting together the International Festival held this past weekend.

SUBJECT: REVISED CITY COUNCIL PROCEDURES

MOTION by Council Member Hill seconded by Council Member Langley to add an item to the agenda [REVISED CITY COUNCIL PROCEDURES-ALTERNATE 1/RESOLUTIONS AND LIMITATIONS ON DEBATE] was approved at 7:10 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. City Manager P. Lamont Ewell commented on a press release received from Mr. Bruce Gordon, General Manager of WTVD and a broadband bulletin from Time Warner Cablevision concerning the removal of the ABC TV signal from Time Warner Cable. **[NO PRIORITY ITEMS FROM THE CITY ATTORNEY AND CITY CLERK]**

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Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any council member(s) or citizen(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting. **[NO ITEMS WERE PULLED FROM THE CONSENT AGENDA]**

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

CONSENT AGENDA

SUBJECT: TRIANGLE TRANSIT AUTHORITY'S ANNUAL REPORT

MOTION by Council Member Larson seconded by Council Member Jacobs to receive the Triangle Transit Authority's Annual Report for Fiscal Year Ended June 30, 1999 was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: DURHAM HOUSING AUTHORITY'S APPLICATION FOR A HOPE VI GRANT

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a presentation on Durham Housing Authority's Application for a HOPE VI Grant; and

To consider and approve a letter of support for Durham Housing Authority's Application for a HOPE VI Grant from the Department of Housing and Urban Development (HUD) was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: PRESENTATION FROM TECHNOLOGY SOLUTIONS DEPARTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a presentation from the Technology Solutions Department concerning community service was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson,

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McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: DURHAM CIVIC CENTER AUTHORITY - APPOINTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to re-appoint Wanda Wagstaff to the Durham Civic Center Authority for a term to expire July 1, 2001 was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: DURHAM CONVENTION & VISITORS BUREAU VISITOR SECTOR ADVISORY BOARD - APPOINTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to appoint Paul D. Broughton to the Durham Convention & Visitors Bureau Visitor Sector Advisory Board representing the category of Convention Services for a term to expire December 31, 2002 was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: MULTIMODAL TRANSPORTATION CENTER UPDATE

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a power point presentation from the Administration concerning the Multimodal Transportation Center update was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: PROFESSIONAL SERVICES CONTRACT FOR MULTIMODAL TRANSPORTATION CENTER FOR TASKS 1-12 OF PHASE 1 - THE FREELON GROUP

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a professional services contract with The Freelon Group in an amount not to exceed \$141,070 for the purpose of performing tasks 1 through 12 of Phase 1 as described therein was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members

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Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION INTERN PROGRAM AGREEMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Authorizing the City of Durham to Enter Into an Agreement with the North Carolina Department of Transportation" for an intern program was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

Resolution #8649

SUBJECT: CONTRACT EXTENSION - PURCHASE OF INDUSTRIAL WORK UNIFORMS - G & K SERVICES

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a two-year contract extension with G & K Services in the amount of \$145,432.20 for furnishing the City with industrial work uniforms; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: PRELIMINARY APPROVAL - HOMEOWNERSHIP PROJECTS - 1996 HOUSING BOND FUNDS - DEVELOPMENT VENTURES, INCORPORATED (DVI), \$400,000 - ST. JAMES BAPTIST CHURCH, INCORPORATED (SJBC) AND SELF HELP CREDIT UNION (SHCU), \$250,000

MOTION by Council Member Larson seconded by Council Member Jacobs to approve preliminary allocations of 1996 Housing Bond Funds in an aggregate amount not to exceed \$650,000 to: Development Ventures, Incorporated (DVI) in the amount of \$400,000 for the construction of ten single family detached units for sale at a price affordable to persons earning at or

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below 60% of the area median income and St. James Baptist Church, Incorporated (SJBC) and Self Help Credit Union (SHCU) in the amount of \$250,000 for permanent mortgage financing in the form of 30 year amortized 0% interest second mortgages not to exceed \$25,000 per eligible homebuyer--both proposals are subject to negotiation of financing terms and development of loan documentation for City Council consideration at a later date was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: DONATION FOR INSTITUTE OF GOVERNMENT LOCAL GOVERNMENT WING CAMPAIGN - \$6,361.00

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution by the City Council of the City of Durham Authorizing the Charge of \$6,361.00 to the Contingency Account of the General Fund and a Credit of \$6,361.00 to the Nondepartmental Account" for a donation in support of the *Local Government Wing* of the Institute of Government was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

Resolution #8650

SUBJECT: RESOLUTION SETTING A PUBLIC HEARING ON PROPOSED ORDINANCE TO DESIGNATE A DIGITAL FORM ZONING MAP AS THE OFFICIAL MAP

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution setting a public hearing on Monday, May 15, 2000 to receive citizens' comments on an ordinance to designate a digital form zoning map as the official map was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

Resolution #8651

SUBJECT: REPAIR OF 54 INCH RAW WATER PIPELINE FROM THE LITTLE RIVER LAKE - BRYANT ELECTRIC COMPANY AND PRICE BROTHERS COMPANY

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MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution to Authorize Contracts With and Ratify Actions Taken Regarding Bryant Electric Company and Price Brothers Company for the Emergency Repair of a Pipeline"; and

To adopt a "Resolution by the City Council of the City of Durham Authorizing the Charge of \$47,205.00 to the Contingency Account of the Water and Sewer Fund and a Credit of \$47,205.00 to the Water and Sewer Operations Account"; and

To adopt "An Ordinance Amending the 1999-2000 City of Durham Budget Ordinance, as Amended, the Same Being Ordinance #11771" was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

Resolution #8652

Resolution #8653

Ordinance #11952

SUBJECT: SOLID WASTE MANAGEMENT PLAN UPDATE

MOTION by Council Member Larson seconded by Council Member Jacobs to receive the "Draft" Solid Waste Management Plan Update; and

To set a public hearing on Monday, May 15, 2000 to receive citizens' comments and to consider adoption of a resolution approving the Solid Waste Management Plan Update was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: STATUS REPORT - DURHAM SIGNAL SYSTEM UPGRADE

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration concerning the status of the Durham Signal System Upgrade Project was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

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SUBJECT: RELOCATION OF AN ABANDONED PRIVATE CEMETERY AT 1101 ELLIS ROAD TO MARKHAM GARDENS - CANCO CONSTRUCTION NC, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Giving Consent to Canco Construction NC, Inc. to Relocate an Abandoned Cemetery Located at 1101 Ellis Road, Durham, North Carolina to Markham Gardens in Durham, North Carolina"--contingent upon satisfactory proof to the City Manager that this proposed relocation will be duly advertised in the *The Herald-Sun* once a week for four consecutive weeks was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

Resolution #8654

SUBJECT: LEGISLATIVE PROGRAM - SHORT SESSION

MOTION by Council Member Larson seconded by Council Member Jacobs to receive an update on the Legislative Breakfast; and

To approve the Short Session Legislative Program was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

2000 LEGISLATIVE PROGRAM: I. Charter Amendments/Local Bills. Allow Photographic Images as Evidence of a Traffic Violation, Three year Limitations Period for Actions Against the City Not otherwise Covered by General or Special Law, Remedy for Mistaken Use of Public Enterprise Funds, and Allow Consideration of "Sweatshop" Working Conditions in Buying or Renting Apparel and Textiles. **II. Carryover Bills.** House Bill 801 - Expand Protection Against Discrimination. **III. General Law.** Allow Administrative Search and Inspection Warrants at Night in Appropriate Circumstances. **IV. Other.** Resolution Supporting Legislation to Encourage the Development of Downtowns and Development Zones, Resolution in Support of Changes to Stormwater Legislation, Resolution in Support of Establishing a Legislative Study Commission Regarding Use of Rights of Way by Telecommunications Providers and Resolution Supporting New Revenue Measures for Local and Regional Transportation Needs.

SUBJECT: BID REPORT - MONTH OF FEBRUARY 2000

MOTION by Council Member Larson seconded by Council Member Jacobs to approve and record in the minutes the bids and

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items acted upon by the City Manager during the month of February 2000 was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

CITY OF DURHAM NORTH CAROLINA

July 5, 2001

MEMO TO: P. Lamont Ewell
City Manager

THROUGH: John G. Pedersen, Jr.
Assistant City Manager

THROUGH: Navdeep S. Gill
Finance Director

THROUGH: Kenneth C. Pennoyer
Assistant Finance Director

FROM: Joseph W. Clark
Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **February 2000**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

1. Bid: Contract Extension - Janitorial Services for the Fire Department Administrative Building

Purpose of Bid: To provide janitorial service for twelve months for the Fire Department

Comments:

Opened: May 1, 1998

Bidders:	Cotton's Janitorial (non-responsive) Durham, NC	\$13,050.00
	CB & H Cleaning (non-responsive) Durham, NC	\$14,100.00
	PHD Cleaning (non-responsive) Durham, NC	\$16,788.00
	Quality Janitor Service Durham, NC	*\$18,329.52

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LPSC Cleaning Durham, NC	\$19,320.00
Tarheel Lawn & Bldg. Raleigh, NC	\$23,700.00
J. A. Farrington Durham, NC	\$32,496.00
Pittard/dba Complete Cleaning Durham, NC	\$36,720.00
Jean & Jean Cleaning Mebane, NC	\$63,072.00
Turner's Glo & Shine Garner, NC	\$103,644.00
C & D Cleaning Service Erwin, NC	\$137,764.00

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	90	# Black Males	48	(53%)
Total # Females	42	(47%) # White Males		
Total # Males	48	(53%)	# Other Males	
			# Black Females	41 (47%)
			# White Females	1 (1%)
			# Other Females	

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

2. Bid: Contract Extension - Landscape Maintenance for the Fire Department

Purpose of Bid: To provide annual maintenance for the Fire Administration Buildings and grounds.

Comments:

Opened: May 12, 1998

Bidders:	Tarheel Lawn & Building Maintenance Raleigh, NC	*\$15,000.00
	Eddie Cox Landscaping Roxboro, NC	\$17,100.00
	Trish's Lawn & Landscape, Inc. Raleigh, NC	\$18,000.00

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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Total Workforce	27	# Black Males	5	(18.5%)
Total # Females	11	(40.70%)	# White Males	7
(25.9%)				
Total # Males	16	(59.30%)	# Other Males	4
(14.8%)				
(18.5%)			# Black Females	5
(22.3%)			# White Females	6
			# Other Females	

LOCATION OF PERFORMING CONTRACT
Durham, North Carolina

Total Workforce	4	# Black Males	1	(25.00%)
Total # Females	2	(50.00%)	# White Males	1
(25.00%)				
Total # Males	2	(50.00%)	# Other Males	
(25.00%)			# Black Females	1
(25.00%)			# White Females	1
			# Other Females	

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

3. Bid: Removal and Abatement of Lead and Asbestos from the former Police Firing Range located at 314 North Mangum Street.

Purpose of Bid:

Comments:

Opened: October 18, 1999

Bidders:	O. C. Mitchell, Jr., Inc.	*\$14,780.00
	Durham, NC	
	Soil Solutions, Inc.	\$17,700.00
	Winston-Salem, NC	

*Awarded based on: ☒ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	90	# Black Males	48	(53%)
Total # Females	42	(47%)	# White Males	

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Total # Males 48 (53%)# Other Males
Black Females 41 (47%)
White Females 1 (1%)
Other Females

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

4. Bid: Janitorial Services for Communication Maintenance (Radio Shop)

Purpose of Bid: To provide Communication Maintenance with janitorial service.

Comments: The alternate bid (24 months) was chosen for its cost effectiveness.

Opened: January 18, 2000

Bidders:	LPSC Cleaning	12 months	\$440.00/month \$5,280.00/year
		24 months	\$440.00/month *\$10,560.00/year
	Al's Cleaning	12 months	\$575.00/month \$6,900.00/year
		24 months	NO BID
	Quality Janitor	12 months	\$684.37.00/month \$9,648.00/year
		24 months	\$684.37/month \$16,424.88/year
	Staunton Sales	12 months	\$804.00/month \$9,648.00/year
		24 months	\$828.00/month \$19,872.00/year
	M & M Cleaning	12 months	\$958.00/month \$11,499.96/year
		24 months	\$1,000.00/month \$24,000.00/year
	J. A. Farrington	12 months	\$980.00/month \$11,760.00/year
		24 months	\$1,030.00/month \$24,720.00/year
	SJ & C dba Genesis Cleaning	12 months	\$1,029.60/month \$12,355.20/year
		24 months	\$987.50/month \$23,700.00/year

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Shaw & Garrison	12 months	\$1,250.00/month \$15,000.00/year
	24 months	\$1,250.00/month \$30,000.00/year
A.T. P. Cleaning	12 months	\$2,035.52/month \$24,426.24/year
	24 months	\$2,435.52/month \$58,452.48/year

*Awarded based on: ☒ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	3		# Black Males	2 (66.67%)
Total # Females	1	(33.33%)	# White Males	
Total # Males	2	(66.67%)	# Other Males	
			# Black Females	1
		(33.33%)	# White Females	
			# Other Females	

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

5. Bid: Janitorial Services for Parks and Recreation

Purpose of Bid: To provide janitorial services at the Parks and Recreation Department.

Comments: The alternate bid (24) months was chosen for its cost effectiveness.

Opened: January 26, 2000

Bidders:	LPSC Cleaning	12 months	\$ 650.00/month \$7,800.00/year
		24 months	*\$ 650.00/month \$15,600.00/year
	Perfection Janitorial	12 months	\$ 910.00/month \$10,920.00/year
		24 months	\$ 910.00/month \$21,840.00/year
	Staunton Sales	12 months	\$1,048.60/month \$12,583.20/year
		24 months	\$1,048.60/month \$25,166.40/year
	J A Farrington	12 months	\$1,115.00/month

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	24 months	\$13,380.00/year \$1,115.00/month \$26,760.00/year
Al's Cleaning	12 months	\$1,175.00/month \$14,100.00/year
	24 months	1,175.00/month \$28,200.00/year
DeBerry's Janitorial	12 months	\$1,186.00/month \$14,232.00/year
	24 months	\$1,186.00/month \$28,464.00/year
A T P Cleaning	12 months	\$1,286.40/month \$15,436.80/year
	24 months	\$1,286.40/month \$30,873.60/year
Quality Janitor	12 months	\$1,462.08/month \$17,544.96/year
	24 months	\$1,462.08/month \$35,089.92/year
S J & C Enterprises	12 months	\$1,522.96/month \$18,275.52/year
	24 months	\$1,522.96/month \$36,551.04/year
Shaw & Garrison	12 months	\$1,750.00/month \$21,000.00/year
	24 months	\$1,800.00/month \$43,200.00/year
P S Enterprise	12 months	NO BID
	24 months	\$1,853.00/month \$44,472.00/year
Mother & Daughter	12 months	\$3,660.00/month \$43,900.00/year
	24 months	\$3,660.00/month \$87,800.00/year
Exceptional Cleaning	12 months	\$12,950.00/month \$155,400.00/year
	24 months	\$12,950.00/month \$310,800.00/year

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS

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CORPORATION STATISTICS

Total Workforce	3		# Black Males	2	(66.67%)
Total # Females	1	(33.33%)	# White Males		
Total # Males	2	(66.67%)	# Other Males		
			# Black Females	1	(33.33%)
			# White Females		
			# Other Females		

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

6. Bid: Janitorial Service for Rigsbee Avenue Building - Purchasing and Employee Training and Development

Purpose of Bid: To provide janitorial service for the Rigsbee Avenue Building.

Comments: The alternate bid for (24) months was chosen for cost effectiveness.

Opened: January 25, 2000

Bidders:	LPSC Cleaning	12 months	\$520.00/month \$6,240.00/year
		24 months	*\$520.00/month \$12,480.00/year
	J A Farrington	12 months	\$543.00/month \$ 6,516.00/year
		24 months	\$543.00/month \$13,032.00
	Al's Cleaning	12 months	\$685.00/month \$8,220.00/year
		24 months	\$685.00/month \$16,440.00/year
	Staunton Sales	12 months	\$693.00/month \$8,316.00/year
		24 months	\$713.80/month \$17,131.20/year
	Quality Janitor	12 months	\$715.00/month \$8,580.00/year
		24 months	\$715.00/month \$17,160.00/year
	SJ & C Enterprises	12 months	\$729.83/month \$ 8,757.96/year
		24 months	\$729.10/month

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		\$17,498.40/year
DeBerry's Janitorial	12 months	\$800.00/month \$9,600.00/year
	24 months	\$800.00/month \$19,200.00/year
Shaw & Garrison	12 months	\$1,000.00/month \$12,000.00/year
	24 months	\$1,000.00/month \$24,000.00/year
ATP Cleaning	12 months	\$1,117.76/month \$13,413.12/year
	24 months	\$1,117.76/month \$26,826.24/year
Kings Custom Cleaning	12 months	\$1,150.00/month \$13,800.00/year
	24 months	NO BID
P S Enterprises	12 months	NO BID
	24 months	\$1,1326.67/month \$63,680.00/year
Armston Cleaning	12 months	\$2,300.00/month \$27,600.00/year
	24 months	NO BID
Exceptional Cleaning	12 months	\$3,500.00/month \$42,000.00/year
	24 months	\$3,500.00/month \$84,000.00/year
Mother & Daughter	12 months	\$4,168.00/month \$50,016.00/year
	24 months	\$4,168.00/month \$100,032.00/year

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	3		# Black Males	2	(66.67%)
Total # Females	1	(33.33%)	# White Males		
Total # Males	2	(66.67%)	# Other Males		
			# Black Females	1	(33.33%)
			# White Females		
			# Other Females		

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Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

7. Bid: Four Used Mid-Sized Sedans

Purpose of Bid: To provide the Criminal Investigations Division with four used vehicles.

Comments: Bids were solicited from eight vendors and one response was received.

Opened: February 7, 2000

Bidders: University Ford, Inc. * \$49,976.00
Durham, NC

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by University Ford, Inc., of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms in the databank to provide this product.

The workforce statistics for University Ford, Inc., are as follows:

University Ford, Inc. 2000				1999	
Total Workforce	139	Total Workforce	135		
Total Females	24	17%	Total Females	25	19%
Total Males	115	8%	Total Males	110	81%
Black Males	27	19%	Black Males	29	21%
White Males	87	63%	White Males	81	60%
Other Males	1	1%	Other Males	0	0%
Black Females	3	2%	Black Females	4	3%
White Females	21	15%	White Females	21	16%
Other Females	0	0%	Other Females	0	0%

Performance Bond: ☒ Waived ☐ Not Waived ☐ Not Required

8. Bid: Blue Recycling Bins (4,800 each)

Purpose of Bid: To provide Environmental Resources with Blue Recycling Bins

Comments:

Opened: February 11, 2000

May 1, 2000

Bidders:	A C Buckhorn		*\$4.76/each
	Brampton Ontario, Canada		\$22,848.00
	Rehrig Pacific Inc.	\$5.62/each	
	Lawrenceville, Georgia		\$27,000.00

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	22			# Black Males	
Total # Females	5	(22.73%)		# White Males	17 (77.27%)
Total # Males	17	(77.27%)		# Other Males	
				# Black Females	
				# White Females	5 (22.73%)
				# Other Females	

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

9. Bid: Training Class – Managing Smartnet Systems

Purpose of Bid: To provide Motorola Managing Smartnet Systems training for Communications Maintenance division personnel.

Comments: Motorola, Inc, is the sole source for this training.

Opened: February 14, 2000

Bidders:	Motorola, Inc.	* \$12,373.00
	Glen Rock, NJ	

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	154			# Black Males	4
(02.60%)				# White Males	100 (64.94%)
Total # Females	40	(25.97%)		# Other Males	10 (06.49%)
Total # Males	114	(74.03%)		# Black Females	4
(02.60%)				# White Females	34 (22.08%)
				# Other Females	2
(01.30%)					

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

May 1, 2000

10. Bid: Training Class – Motorola Centracom Systems

Purpose of Bid: To provide Motorola Centracom Systems training for Communications Maintenance division personnel.

Comments: Motorola, Inc, is the sole source for this training.

Opened: February 16, 2000

Bidders: Motorola, Inc. * \$16,863.00
Glen Rock, NJ

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	154		# Black Males	4
(02.60%)				
Total # Females	40	(25.97%)	# White Males	100
(64.94%)				
Total # Males	114	(74.03%)	# Other Males	10 (06.49%)
			# Black Females	4
(02.60%)				
			# White Females	34 (22.08%)
			# Other Females	2
(01.30%)				

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

11. Bid: Enterprise Payment Solution

Purpose of Bid: To provide the TS Department with a software solution that will enable interactive payment processing in real-time.

Comments: PaylinX Corporation is the only known provider with a solution that does not have a per-transaction fee.

The \$75,000 bid price is only good until February 29, 2000, a purchase after that date would cost \$97,650.00.

Opened: February 23, 2000

Bidders: PaylinX Corporation * \$75,000.00
St. Louis, MO

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

May 1, 2000

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by PaylinX Corporation of St. Louis, Missouri to determine compliance with the Minority and Women Business Enterprises Ordinance.

M/WBE firms were given an opportunity to bid.

The workforce statistics for PaylinX Corporation are as follows:

Total Workforce	113	
Total # of Females	31	27%
Total # of Males	82	73%
Total # of Black Males	0	0%
Total # of White Males	77	68%
Total # of Other Males	5	4%
Total # of Black Females	2	2%
Total # of White Females	27	24%
Total # of Other Females	2	2%

Performance Bond: ☒ Waived ☐ Not Waived ☐ Not Required

12. Bid: Three 12 ton trailers

Purpose of Bid: To provide the Water & Sewer Maintenance Division with trailers.

Comments:

Opened: February 24, 2000

Bidders:	Briggs Construction Equipment, Inc.	* \$27,801.00
	Raleigh, NC	
	North Carolina Equipment Company	\$29,439.00
	Raleigh, NC	
	Senter Tractor Company	\$31,416.00
	Raleigh, NC	
	Prime Equipment	\$34,036.98
	Durham, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	100		# Black Males	2	(2%)
Total # Females	17	(17%)	# White Males	81	(81%)
Total # Males	83	(83%)	# Other Males		
			# Black Females	1	(1%)
			# White Females	16	(16%)
			# Other Females		

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

May 1, 2000

The M/WBE Data Base was used in the solicitation of bids for this item.

13. Bid: 4 x 4 Tractor

Purpose of Bid: To provide the Properties and Facility Management Department with a tractor

Comments:

Opened: February 25, 2000

Bidders:	Barnhill Equipment Company	* \$17,641.75
	Durham, NC	
	Senter Tractor	\$22,690.00
	Raleigh, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	11		# Black Males		
Total # Females	1	(9%)	# White Males	9	(91%)
Total # Males	10	(91%)	# Other Males		
			# Black Females		
			# White Females	1	(9%)
			# Other Females		

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

14. Bid: Seven (7) Microcomputers

Purpose of Bid: To purchase microcomputers for the Police Department

Comments:

Opened: February 28, 2000

Bidders:	Dell Marketing L.P.	* \$12,649.00
	Round Rock, TX	
	Tiger Direct, Inc.	\$15,526.00
	Morrisville, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

May 1, 2000

Total Workforce	14935	# Black Males	814	(06%)
Total # Females	5128	(34%)	# White Males	6994 (47%)
Total # Males	9807	(66%)	# Other Males	1999 (13%)
			# Black Females	627 (04%)
			# White Females	3343 (22%)
			# Other Females	1158 (08%)

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

15. Bid: Solid Waste Management Re-Roofing Project

Purpose of Bid: To re-roof the 2nd story roof of the old Solid Waste Management Building

Comments:

Opened: February 29, 2000

Bidders:	Durham Roofing & Sheet Metal, Inc.	* \$16,308.00
	Durham, NC	
	Guaranteed Systems, Inc.	\$22,108.00
	Stoneville, NC	

*Awarded based on: ☒ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	9	# Black Males	5	(55%)
Total # Females	0	# White Males	4	(45%)
Total # Males	9	(100%)	# Other Males	
			# Black Females	
			# White Females	
			# Other Females	

Performance Bond: _____ Waived _____ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: BIDS - CELLULAR WIRELESS SERVICE WITH TWO-WAY RADIO CAPABILITIES - NEXTEL COMMUNICATIONS

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MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from Nextel Communications in the amount of \$87,426.00 for furnishing the City with cellular wireless service with two-way radio capabilities; and

To authorize the City Manager to enter into a contract with Nextel Communications in the amount of \$87,426.00 for furnishing the City with cellular wireless service with two-way radio capabilities; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: BIDS - REAR LOADING REFUSE COLLECTION VEHICLE - VOLVO & GMC TRUCK CENTER

MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from Volvo & GMC Truck Center in the amount of \$125,413.00 for providing the City with a rear loading refuse collection vehicle; and

To authorize the City Manager to enter into a contract with Volvo & GMC Truck Center in the amount of \$125,413.00 for providing the City with a rear loading refuse collection vehicle; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: SETTING PUBLIC HEARINGS FOR CONFIRMATION OF CERTAIN ASSESSMENT ROLLS

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt resolutions setting public hearing on Monday, May 15, 2000 for confirmation of the following assessment rolls was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson,

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McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

- a. **Curb, Gutter and Paving on Daile Court** from Carver Street north to end of cul-de-sac,
- b. **Water and Sewer Laterals on Daile Court** from Carver Street north to end of cul-de-sac,
- c. **Sewer Main on Daile Court** from Carver Street north to end of cul-de-sac,
- d. **Curb, Gutter and Paving on East Oak Drive** from Hawthorne Drive to Fleming Drive,
- e. **Water and Sewer Laterals on East Oak Drive** from Hawthorne Drive to Fleming Drive,
- f. **Sewer Main on East Oak Drive** from Hawthorne Drive to Fleming Drive,
- g. **Sidewalk on East Oak Drive** from Hawthorne Drive to Fleming Drive,
- h. **Curb, Gutter and Paving on Rochester Street** from Cheek Road to Ellington Street,
- i. **Water and Sewer Laterals on Rochester Street** from Cheek Road to Ellington Street,
- j. **Curb, Gutter and Paving on Ellington Street** from Catalpa Drive east to Rochester Street,
- k. **Water and Sewer Laterals on Ellington Street** from Catalpa Drive east to Rochester Street,
- l. **Curb, Gutter and Paving on Lindmont Avenue** from Watson Road to Amberley Drive, and
- m. **Water and Sewer Laterals on Lindmont Avenue** from Watson Road to Amberley Drive.

SUBJECT: SETTING A PUBLIC HEARING TO CONSIDER ORDERING SEWER MAIN ON MARYWOOD DRIVE FROM NORTH PROPERTY LINE TAX MAP 773-5-9 TO PARK PLACE AND PARK PLACE FROM MARYWOOD DRIVE TO END OF CUL-DE-SAC UNDER THE ENABLING ACT AUTHORITY

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution setting a public hearing on Monday, May 15, 2000 to consider ordering sewer main on Marywood Drive from north property line Tax Map 773-5-9 to Park Place and Park Place from Marywood Drive to end of cul-de-sac under the Enabling Act Authority was approved at 7:12

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p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: SETTING A PUBLIC HEARING TO CONSIDER ORDERING CURB, GUTTER AND PAVING AND WATER AND SEWER LATERALS ON CASTLEROCK DRIVE FROM N. C. HIGHWAY 55 TO END OF CUL-DE-SAC

MOTION by Council Member Larson seconded by Council Member Jacobs to accept a Certificate of Sufficiency from the Manager of Engineering for the petition for curb, gutter and paving and water and sewer laterals on Castlerock Drive from N. C. Highway 55 to end of cul-de-sac; and

To adopt a resolution setting a public hearing on Monday, May 15, 2000 to consider ordering the improvements was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: STOP SIGNS - LAWSON STREET AND BRIGGS AVENUE - GROVE PARK SUBDIVISION

a. Stop Signs - Lawson Street and Briggs Avenue

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance repealing the following ordinances:

- 1) Ordinance #6801, adopted October 7, 1985, authorizing a stop sign on Briggs Avenue at Lawson Street, southeast corner; and
- 2) Ordinance #6802, adopted October 7, 1985, authorizing a stop sign on Briggs Avenue at Lawson Street, northwest corner; and

To adopt an ordinance authorizing the installation of a stop sign on Lawson Street at Briggs Avenue, southwest corner was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

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Ordinance #11953

Ordinance #11954

b. Stop Signs - Grove Park Subdivision

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 7:12 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

- 1) Crossview Lane at Bellmeade Bay Drive, southwest corner; and
- 2) Leacroft Way at Crossview Lane, northeast corner.

Ordinance #11955

GENERAL BUSINESS AGENDA

[PUBLIC HEARINGS]

ASSESSMENTS

SUBJECT: SEWER MAIN - FARRINGTON ROAD FROM SOUTH PROPERTY LINE OF TAX MAP 484-2-4 TO CHAPEL HILL ROAD AND CHAPEL HILL ROAD FROM FARRINGTON ROAD TO EAST PROPERTY LINE OF TAX MAP 484-1-2 (MINI ASSESSMENT ROLL)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to find that the property of Charles B. and Marie O. Weil, Jr., 4125 Farrington Road, identified as Tax Map 484-2-4, has benefited from the sewer main improvement and to confirm the assessment in the amount of \$5,670.00 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

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IMPROVEMENTS

SUBJECT: SIDEWALK - BROAD STREET (EAST SIDE) FROM SPRUNT AVENUE TO GUESS ROAD (ENABLING ACT AUTHORITY)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering sidewalk on Broad Street (east side) from Sprunt Avenue to Guess Road under the Enabling Act Authority **FAILED** at 7:14 p.m. by the following vote: Ayes: Council Members Edwards and Langley. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Hill, Jacobs, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Absent: Council Member Cheek.

SUBJECT: CURB, GUTTER, AND PAVING, AND WATER AND SEWER LATERALS ON LARCHWOOD DRIVE FROM BOOKER AVENUE TO FAYETTEVILLE ROAD

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no further objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering curb, gutter and paving and water and sewer laterals on Larchwood Drive from Booker Avenue to Fayetteville Road was approved at 7:14 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: SIDEWALK ON CLERMONT ROAD (SOUTH SIDE) FROM PELHAM ROAD TO EUCLID ROAD; EUCLID ROAD (EAST SIDE) FROM CLERMONT ROAD TO REVERE ROAD AND BLANCHARD ROAD (EAST SIDE) FROM EUCLID ROAD TO NC HIGHWAY 54

To adopt a resolution ordering sidewalk on Clermont Road (South Side) from Pelham Road to Euclid Road; Euclid Road (East Side) from Clermont Road to Revere Road and Blanchard Road (East Side) from Euclid Road to NC Highway 54.

Due to a number of objections, Lee Murphy, of the Public Works Department, requested Council to continue the public hearing without further advertising and refer this item to the May 30, 2000 Public Works Committee Meeting.

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As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

MOTION by Council Member Larson seconded by Council Member Jacobs to continue the public hearing without further advertising and refer this item to the May 30, 2000 Public Works Committee Meeting was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: COMMUNITY DEVELOPMENT MATTER - DRAFT FIVE-YEAR CONSOLIDATED PLAN AND ANNUAL ACTION PLAN - PUBLIC HEARING

To receive citizens' comments on the Draft Five-Year Consolidated Plan to be effective for fiscal years 2000-2005 and the Annual Action Plan to be effective for fiscal year 2000-2001.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

MOTION by Council Member Larson seconded by Council Member Jacobs to continue the public hearing to the May 11, 2000 Special City Council Meeting was approved at 7:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE - TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP, INC, TO AMERICA ONLINE, INC.

To receive citizens' comments on the transfer of control of the cable television franchise from Time Warner Entertainment-Advance/Newhouse Partnership, Inc, to America Online, Inc.

John Pedersen, of the City Manager's Office, outlined the purpose of the public hearing. He noted that Time Warner has consented to the City's request for an extension of time to respond to this matter. Also, he stated that Council would take an official decision on this matter on, or about June 9, 2000.

As this was the time and place set for the public hearing,

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anyone interested was given the opportunity to be heard.

Rev. James Vaughn, a member of the CATV Advisory Board, asked if citizens would have enough information regarding the new technology coming forth as a result of the merger, what broadband services would be available to citizens, would the merger facilitate an update of the technology citizens have access to, and when would citizens receive information on AOL's wide band 2-way application.

Council Member Langley requested that an additional public hearing be scheduled to receive comments from citizens relating to the merger.

Council Member McKissick asked the City Attorney to outline the final action that Council can take on this issue.

City Attorney Henry Blinder made comments relative to the franchise. He noted that according to federal laws, local government has no authority to regulate certain programming that a cable company chooses to carry.

Council Member McKissick requested a staff report outlining whether or not the recent issue between Time Warner and ABC constitutes a violation of the franchise agreement.

Council Member Blyth requested a staff report on the implications of the merger with AOL, what options are available for selecting another provider, and what Cary is doing in relation to providing their own fiber optic network.

MOTION by Council Member Blyth seconded by Mayor Pro Tempore Clement to continue the public hearing to the June 5, 2000 City Council Meeting was approved at 7:37 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: SMALL AREA PLAN MATTER - LEBANON TOWNSHIP PLAN

To receive citizens' comments on the *Lebanon Township Small Area Plan* with corrections and additions, as shown in the attachment.

To adopt the *Lebanon Township Small Area Plan* subject to corrections and additions, as shown in the attachment.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

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MOTION by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments on the *Lebanon Township Small Area Plan* with corrections and additions, as shown in the attachment; and

To adopt the *Lebanon Township Small Area Plan* subject to corrections and additions, as shown in the attachment was approved at 7:40 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: ZONING MATTER CASE: P99-64, BARTON REAL ESTATE, LLC, NORTHEAST CORNER OF THE INTERSECTION OF NC 54 AND SOUTHPARK DRIVE, IDENTIFIED AS 5012 SOUTHPARK DRIVE

Case: P99-64

Applicant: Barton Real Estate, LLC

Location: 4.64-acre site on the northeast corner of the intersection of NC 54 and Southpark Drive, identified as 5012 Southpark Drive

Request: Rezoning from R-20 (Residential 20 District); F/J-B and MTC (partial) to OI-1(D) (Transitional Office and Institutional District with a Development Plan); F/J-B and MTC (partial)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20 and placing same in and establishing same as OI-1(D); F/J-B and MTC (partial).

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

Shelia Stains-Ramp summarized the staff report.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Proponent

Jack Markham, representing the applicant, briefed Council on the proposed request. He requested Council's approval of the rezoning.

No one spoke in opposition to the rezoning request.

Mayor Tennyson declared the public hearing closed.

A motion was made by Council Member Larson seconded by

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Council Member Jacobs to approve the motion as printed on the agenda.

Council Member Blyth asked if the Woodcroft Association had been notified of the rezoning request.

Shelia Stains-Ramp replied that all registered agencies within 1,000 feet of the rezoning site were notified.

Council Member Blyth asked if there is any commercial on the north side of Hwy. 54 from Rollingwood Drive to Woodcroft Shopping Center.

Shelia Stains-Ramp replied no.

Council Member Blyth noted that she would not be supporting the request because the residents of the Woodcroft Homeowners Association, who live in the vicinity, were not notified of the rezoning.

Council Member Blyth requested that the policy to notify homeowners within the 1,000-foot radius of the rezoning site be revisited.

A substitute motion was made by Council Member Blyth seconded by Council Member McKissick to continue the public hearing without further advertising to the June 5, 2000 City Council Meeting in order to notify the Woodcroft Homeowners Association of the rezoning request.

Council Member McKissick asked that the Transportation Staff be present at the June 5, 2000 City Council Member to address traffic concerns [road capacity and whether or not a Traffic Impact Analysis is needed].

Council held discussion on traffic issues, whether the development would have an impact on the widening of Hwy. 54, the corridor study and the development providing jobs.

City Manager Ewell stated that an agreement had been reached between staff and the developer to defer the rezoning for 30 days to check the 1,000-foot radius.

Council Member Stith stated that he felt uncomfortable in changing the 1,000 foot rule during the process.

Council Member Langley asked Council to move forward with the rezoning and noted that she would not be supporting the 30-day deferral.

SUBSTITUTE MOTION by Council Member Blyth seconded by Council Member McKissick to continue the public hearing without further advertising to the June 5, 2000 City Council Meeting **FAILED** at 8:22 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Blyth, Burnette, Edwards, Larson

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and McKissick. Noes: Mayor Pro Tempore Clement and Council Members Hill, Jacobs, Langley and Stith. Absent at time of Vote: Council Member Wagstaff. Absent: Council Member Cheek.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20 and placing same in and establishing same as OI-1(D); F/J-B and MTC (partial) was approved at 8:23 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Hill, Jacobs, Langley, Larson and Stith. Noes: Council Members Blyth, Edwards and McKissick. Absent at time of Vote: Council Member Wagstaff. Absent: Council Member Cheek.

SUBJECT: ZONING MATTER CASE: P99-88 - ELYRON, LLC - 2206 NORTH ROXBORO ROAD

Case: P99-88

Applicant: Elyron, LLC

Location: 2206 North Roxboro Road

Request: Rezoning from NC (Neighborhood Commercial District); F/J-B to SC(D) (Shopping Center District with a Development Plan); F/J-B

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of NC; F/J-B and placing same in and establishing same as SC(D); F/J-B.

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

Shelia Stains-Ramp, of the City/County Planning Department, briefed Council on the staff report. She noted that the development would be consistent with adopted plans.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Proponent

Dan Jewell, representing the applicant, spoke in support of rezoning. He requested Council to approve the request.

No one spoke in opposition to the rezoning.

Mayor Tennyson closed the public hearing.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance,

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the same being Chapter 24 of the Durham City Code, by taking the above described property out of NC; F/J-B and placing same in and establishing same as SC(D); F/J-B was approved at 8:27 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: ZONING MATTER CASE: P00-1 -HOMESCAPE DEVELOPMENT COMPANY - NORTHERN END OF KENMONT DRIVE

Case: P00-1

Applicant: Homescape Development Company

Location: 19.17-acre tract at northern end of Kenmont Drive

Request: Rezoning from R-10 (Residential 10 District) and R-20 (Residential 20 District) to PDR 2.74 (Planned Density Residential District with a maximum of 2.74 dwelling units per acre)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-10 and R-20 and placing same in and establishing same as PDR 2.74.

Zoning Committee's Recommendation and Vote: Approval (7-0)

Planning Department's Recommendation: Approval

Shelia Stains-Ramp, of the City/County Planning Department, briefed Council on the rezoning request. She noted that the development complies with the South Durham and 2020 Plans.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Proponent

Attorney Jack Markham, representing the applicant, spoke in support of the proposed request. He noted that the applicant corresponded and met with the Orindo Drive neighborhood and had worked out an agreement pertaining to size lots and buffer.

No one spoke in opposition to the proposed request.

Mayor Tennyson closed the public hearing.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-10 and R-20 and placing same in and establishing same as PDR 2.74 was approved at 8:33 p.m. by the following vote: Ayes: Mayor Tennyson,

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Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick and Stith. Absent at time of Vote: Council Member Wagstaff. Noes: None. Absent: Council Member Cheek.

SUBJECT: ZONING MATTER CASE: P00-6 - DOBSON BUILDERS - SOUTH SIDE OF MARTIN LUTHER KING, JR. PARKWAY BETWEEN FAYETTEVILLE ROAD AND COOK ROAD

Case: P00-6

Applicant: Dobson Builders

Location: 37.46-acre site on the south side of Martin Luther King, Jr. Parkway between Fayetteville Road and Cook Road

Request: Rezoning from PDR-10 (Planned Density Residential District with a maximum of 10 dwelling units per acre) to PDR-10--**Change in Development Plan**

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of PDR-10 and placing same in PDR-10--**change in Development Plan.**

Zoning Committee's Recommendation and Vote: Approval (6-0-1)
[Commissioner Edwards abstained from voting]

Planning Department's Recommendation: Approval

Shelia Stains-Ramp, of the City/County Planning Department, briefed Council on the proposed request.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Proponent

Don Mizelle, representing the applicant, spoke in support of the rezoning request.

Johnnie B. Philyaw, of 722 Hanson Road, spoke in support of the request. He asked if there would be an exit coming out of Hanson Road into Fayetteville Road.

Tom Spaulding, representing Dobson Builders, noted that there would be a connection to Hanson Road.

No one spoke in opposition to the request.

Mayor Tennyson closed the public hearing.

Council held discussion on accessing Hanson Road.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking

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the above described property out of PDR-10 and placing same in PDR-10--**change in Development Plan**--was approved at 8:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Edwards, Hill, Jacobs, Langley, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Cheek.

[ITEM ADDED TO AGENDA]

SUBJECT: REVISED CITY COUNCIL PROCEDURES - ALTERNATE 1

To adopt the proposed revisions (alternate 1) to the Council Rules of Procedure, provided that the revisions to Rules II.E., III.E.3) and IV.H3)(e) regarding ceremonial resolutions shall be effective on July 1, 2000; that the other revisions shall be effective immediately; and that Council, after 90 days, will consider whether to continue with the revisions to Rules II.F.6) and IV.H.5) regarding the limitations on debate.

A motion was made by Council Member Hill seconded by Council Member Jacobs to approve the revisions to the Council Rules of Procedure regarding ceremonial resolutions and time limits for Council Members speaking at City Council Meetings and Committee Meetings.

Council Member Hill requested that the revisions be considered separately.

City Attorney Henry Blinder gave an overview of the changes to the Council Procedure.

Council held discussion on limiting debate for Council Members at Committee meetings.

1. Debate Limits at Council Meetings [Page 10]

The first time a Council Member has the floor on a matter, the member's comments shall be limited to not more than five minutes. After all other members have had an opportunity to speak on the matter, the member may have the floor for an additional period of not more than three minutes. These limits shall not include time spent by staff or others in responding to comments made by the member who has the floor. The City Clerk shall be the timekeeper for determining how much time has elapsed. The Council, by majority vote of those members present, may extend these time limits.

A substitute motion was made by Council Member McKissick to allow Council Members to have the floor on a matter for five minutes for the first round, three

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minutes for the second round and two minutes for the third round.

The motion failed for a lack of a second.

MOTION by Council Member Hill seconded by Council Member Jacobs to adopt the following revision to the Council Rules of Procedure: The first time a Council Member has the floor on a matter, the member's comments shall be limited to not more than five minutes. After all other members have had an opportunity to speak on the matter, the member may have the floor for an additional period of not more than three minutes. These limits shall not include time spent by staff or others in responding to comments made by the member who has the floor. The City Clerk shall be the timekeeper for determining how much time has elapsed. The Council, by majority vote of those members present, may extend these time limits was approved at 9:15 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Edwards, Hill, Jacobs, Langley, McKissick, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette and Larson. Absent: Council Member Cheek.

[After 90 days, the Council will consider whether to continue with the revision]

2. Debate Limits at Committee Meetings [Page 26]

MOTION by Council Member Hill seconded by Council Member Jacobs to adopt the following revision to the Council Rules of Procedure: The first time a Committee Member has the floor on a matter, the member's comments shall be limited to not more than five minutes. After all other members have had an opportunity to speak on the matter; the Committee member may have the floor for an additional period of not more than three minutes. These time limits shall not include time spent by staff or others in responding to comments made by the member who has the floor. The City Clerk shall be the timekeeper for determining how much time has elapsed. The Committee, by majority vote of those members present, may extend these time limits was approved at 9:16 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Edwards, Hill, Jacobs, Langley, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Larson and McKissick. Absent: Council Member Cheek.

[After 90 days, the Council will consider whether to continue with the revision]

3. Ceremonial Resolutions [Pages 8, 20, 26]

[The following action shall be effective July 1, 2000]

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MOTION by Council Member Hill seconded by Council Member Jacobs to adopt the following revisions: The reading and presentation of resolutions honoring persons and organizations or commemorating events may not be added to the agenda at the Council Meeting without the two-thirds affirmative vote; and

An approving vote is not required for a Council Member to add to the consent agenda a resolution honoring persons and organizations or commemorating events. No more than two such resolutions may be submitted by a Council Member during a fiscal year (July 1-June 30) and no more than thirty such resolutions may be submitted cumulatively by Council Members during a fiscal year without complying with the provisions of Section II.E. A resolution is considered to have been submitted by all Council Members sponsoring or co-sponsoring the resolution. If a Council Member discloses that the member is sponsoring a resolution at the request of another member, then the resolution is considered to have been submitted by both members; and

Resolutions honoring persons and organizations or commemorating events may not be included on the agenda of a standing committee. The first time such resolutions may be considered is at the Committee-of-the-Whole meeting as provided in Section III.E.3) was approved at 9:16 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Edwards, Hill Jacobs, Langley, Larson, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette and McKissick. Absent: Council Member Cheek.

There being no further business to come before the City Council, the meeting was adjourned at 9:17 p.m.

D. Ann Gray, CMC
City Clerk